

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SHEET METAL WORKERS :
LOCAL 441 HEALTH & WELFARE :
PLAN, et al, :
Plaintiffs : **CIVIL ACTION**
v. : **NO. 04-5898**
GLAXOSMITHKLINE, PLC, et al, :
Defendants :
:

ORDER

STENGEL, J.

AND NOW, this 13th day of September, 2009, IT IS HEREBY ORDERED that, pursuant to the reasoning set forth in the court's opinions issued on March 31, 2010 in *In re Wellbutrin SR Antitrust Litigation* (Docket No. 04-CV-5525) and *Medical Mutual of Ohio v. GlaxoSmithKline PLC, et al* (Docket No. 05-CV-396):

1. Defendants' motion for summary judgment as to all claims (Document # 178) is **DENIED**.
2. Defendants' motion for summary judgment as to all claims relating to the '994 patent (Document # 180) is **GRANTED**.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.